

## FOR OFFICIAL USE ONLY

21 Dec 16

From: CAPT (b) (6), (b) (7)(C) USN  
 To: Director, Navy Staff

Subj: PRELIMINARY INQUIRY INTO ALLEGATIONS OF SEXUAL HARASSMENT AGAINST  
 CDR (b) (7)(C), (b) (6) USN

Ref: (a) JAGMAN  
 (b) SECNAVINST 5300.26D  
 (c) Uniform Code of Military Justice

Encl: (1) Preliminary Inquiry Appointment Letter  
 (2) Statement of LT (b) (6), (b) (7)(C)  
 (3) Statement of LCDR (b) (6), (b) (7)(C)  
 (4) Statement of CDR (b) (6), (b) (7)(C)  
 (5) Statement of LT (b) (6), (b) (7)(C)  
 (6) Statement of LT (b) (6), (b) (7)(C)  
 (7) Statement of LT (b) (6), (b) (7)(C)  
 (8) Statement of LT (b) (6), (b) (7)(C)  
 (9) Statement of Mr. (b) (6), (b) (7)(C)  
 (10) Rights Advisement ICO CDR (b) (6), (b) (7)(C)  
 (11) Screen capture from LT (b) (6), (b) (7)(C) cell phone – call log  
 (12) Screen capture from LT (b) (6), (b) (7)(C) cell phone – text messages with (b) (6), (b) (7)(C)

1. As directed by enclosure (1), I completed a preliminary inquiry into allegations of sexual harassment against CDR (b) (6), (b) (7)(C) in accordance with reference (a).

2. I interviewed eight individuals in the course of my inquiry. Six are public affairs officers assigned to CHINFO, one is assigned to OPNAV as CDR (b) (6), (b) (7)(C) s (b) (6), (b) (7)(C) and one is a civilian employee at CHINFO. Their statements are included as enclosures (2) through (9). CDR (b) (6), (b) (7)(C) was advised of his rights under Article 31(b) of reference (c) and invoked his right to remain silent (Enclosure (10))

### 3. Summary of Findings:

a. Sexual harassment. I investigated three allegations that potentially rise to the level of sexual harassment. In chronological order:

1. (b) (6), (b) (7)(C) (September 2014). About one month prior to the show, CDR (b) (6), (b) (7)(C) reached out to LT (b) (6), (b) (7)(C) and a former subordinate, and offered to take her out for dinner while she was in town for the show. LT (b) (6), (b) (7)(C) believed they were having a professional meeting consistent with their mentor-mentee relationship. After dinner they went to a bar. According to LT (b) (6), (b) (7)(C) CDR (b) (6), (b) (7)(C) had several scotches and she had one drink. She stated that at some point CDR (b) (6), (b) (7)(C) put his hand on top of her thigh, which she promptly removed. She told him she had a boyfriend and was not interested. CDR (b) (6), (b) (7)(C) then put his arm around her and said, "oh come on, I know you have been looking at me all night." She repeated her lack of interest and then decided to walk back to her hotel. CDR (b) (6), (b) (7)(C) offered to walk her back. She was comfortable with CDR (b) (6), (b) (7)(C) escorting her back because it was late at night in Baltimore, and she didn't feel safe walking alone. According to her, CDR (b) (6), (b) (7)(C) was visibly drunk and told her that he didn't want to sleep with her, but just wanted to come upstairs to her room and make out. LT (b) (6), (b) (7)(C) offered to assist him in getting a ride home, but he declined and she went upstairs to her hotel room alone. CDR (b) (6), (b) (7)(C)

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then left. LT (b) (6), (b) (7)(C) called a friend immediately afterward and discussed the incident, and also relayed the incident to LCDR (b) (6), (b) (7)(C) at the Public Affairs Symposium in 2015. LCDR (b) (6), (b) (7)(C) corroborated this. Upon LT (b) (6), (b) (7)(C) reporting to the CHINFO news desk in January 2016, she avoided CDR (b) (6), (b) (7)(C) unless professionally required. At one point, according to LT (b) (6), (b) (7)(C) CDR (b) (6), (b) (7)(C) told her that he didn't know how to act with her, since the last time he was alone with her "he was practically humping [her] leg."

2. CDR (b) (6), (b) (7)(C) hugging LT (b) (6), (b) (7)(C) at the Holiday Party (December 2016). At the CHINFO holiday party, LT (b) (6), (b) (7)(C) observed that CDR (b) (6), (b) (7)(C) was swaying, smelled of alcohol, and slurred his words. One of LT (b) (6), (b) (7)(C) duties at the party was to make sure that people had rides home or plans to get home safely. After seeing CDR Servello, LT (b) (6), (b) (7)(C) walked to CDR (b) (6), (b) (7)(C) office where others were gathered and asked, "who's got CDR (b) (6), (b) (7)(C)?" CDR (b) (6), (b) (7)(C) responded that he did, according to her. Also according to LT (b) (6), (b) (7)(C) CDR (b) (6), (b) (7)(C) then proceeded to give her a long uncomfortable hug, thanking her for taking care of him. LT (b) (6), (b) (7)(C) pushed him away to end the hug. According to her, CDR (b) (6), (b) (7)(C) then gave her a second uncomfortably long (5-10 seconds) hug prior to leaving the office area.

3. CDR (b) (6), (b) (7)(C) and LT (b) (6), (b) (7)(C) Several witnesses noted that LT (b) (6), (b) (7)(C) as subjected to uncomfortable conversation with CDR (b) (6), (b) (7)(C) during the holiday party. LT (b) (6), (b) (7)(C) and LT (b) (6), (b) (7)(C) were with CDR (b) (6), (b) (7)(C) when he told both LTs that he wanted them to come work for him. He also said to LT (b) (6), (b) (7)(C) that he had looked up where she used to live, saying "here's to looking up your old address." LT (b) (6), (b) (7)(C) witnessed CDR (b) (6), (b) (7)(C) saying something to LT (b) (6), (b) (7)(C) along the lines of, "watch out, I will probably be on your O-4 board someday." At the end of the party, around 1730, LT (b) (6), (b) (7)(C) went with her friend LT (b) (6), (b) (7)(C) and five others, including CDR (b) (6), (b) (7)(C), to dinner at (b) (6), (b) (7)(C) a restaurant in Crystal City. LT (b) (6), (b) (7)(C) and CDR (b) (6), (b) (7)(C) were seated next to each other at dinner. Most of the conversation was about professional development and opportunities. LT (b) (6), (b) (7)(C) told CDR (b) (6), (b) (7)(C) that she thought being the PAO for (b) (6), (b) (7)(C) would be a cool job. According to LT (b) (6), (b) (7)(C) CDR (b) (6), (b) (7)(C) told her not to do it – that it was a bad idea for a young, beautiful woman to be surrounded by (b) (6), (b) (7)(C) because they would "run through [her]." At some point, LT (b) (6), (b) (7)(C) sensed that something was wrong and switched seats with LT (b) (6), (b) (7)(C). LT (b) (6), (b) (7)(C) thought CDR (b) (6), (b) (7)(C) was making a play toward LT (b) (6), (b) (7)(C) and witnessed him putting his arm around her chair. No other witnesses noted any touching between CDR (b) (6), (b) (7)(C) and LT (b) (6), (b) (7)(C). LT (b) (6), (b) (7)(C) indicated in her statement that she didn't think LT (b) (6), (b) (7)(C) was aware of his intentions. Witnesses described LT (b) (6), (b) (7)(C) as very intoxicated at the end of dinner. LT (b) (6), (b) (7)(C) called a cab for both her and LT (b) (6), (b) (7)(C) and they departed. CDR (b) (6), (b) (7)(C) called LT (b) (6), (b) (7)(C) cell phone twice on the cab ride home to offer them assistance getting home. Both times LT (b) (6), (b) (7)(C) answered. LT (b) (6), (b) (7)(C) told CDR (b) (6), (b) (7)(C) that "she had it," indicating they did not need his help. CDR (b) (6), (b) (7)(C) continued to call LT (b) (6), (b) (7)(C) throughout the evening, making a total of six calls (Enclosure (11).) CDR (b) (6), (b) (7)(C) also sent two text messages to LT (b) (6), (b) (7)(C) from (b) (6), (b) (7)(C). The first: "Hey just want to make sure you ok...this is (b) (6), (b) (7)(C)." The second: "We are leaving... you want company?" (Enclosure (12).) The next morning, LT (b) (6), (b) (7)(C) informed her immediate superior, LCDR (b) (6), (b) (7)(C) of the events that occurred.

b. Excessive consumption of alcohol and driving under the influence. While not within the scope of enclosure (1), statements made during the course of my inquiry reasonably raised the issue of "drunken or reckless operation of vehicle" under reference (c). According to multiple witnesses, CDR (b) (6), (b) (7)(C) was drinking alcohol at the CHINFO holiday party, including shots of hard liquor. Some witnesses described CDR (b) (6), (b) (7)(C) as tipsy or intoxicated, while others said that he did not appear visibly drunk. CDR (b) (6), (b) (7)(C) then drove his vehicle from the Pentagon to dinner in Crystal City after the holiday party. One LT did not ride with CDR (b) (6), (b) (7)(C) because she "had a feeling that he should not be driving." At dinner, three bottles of wine were ordered for seven people.

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c. Fraternization. An allegation of fraternization several years ago was raised by one witness and alluded to by others, but there is no evidence that any incident that might have occurred was handled inappropriately by CDR (b) (7)(C), (b) (6)'s leadership at the time. In the context of describing CDR (b) (6), (b) (7)(C)'s interest in young female officers, several witnesses reported that CDR (b) (6), (b) (7)(C) had previously dated an officer who was subordinate to him. Two witnesses noted that the officer, LT (b) (6), (b) (7)(C), is no longer on active duty. According to one witness, CDR (b) (6), (b) (7)(C) told her that he and LT (b) (6), (b) (7)(C) had been dating previously when they were both at CHINFO, but that he had gotten "in trouble" for their relationship and that she had left the Navy because of their relationship.

4. Analysis. (b) (5)

(b) (5)

a. In the (b) (6), (b) (7)(C) incident described in 3.a.1 above, (b) (5)

b. In the unwelcome hugging incident described in 3.a.2 above, (b) (5)

c. Regarding CDR (b) (6), (b) (7)(C)'s pursuit of LT (b) (6), (b) (7)(C) during and after the holiday party as described in 3.a.3 above, (b) (5)

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d. For the three instances discussed above, (b) (5)

[REDACTED]

e. (b) (5)

[REDACTED]

5. Recommendations.

a. I recommend that CDR (b) (6), (b) (7)(C) (b) (5)

[REDACTED]

b. I recommend that (b) (5)

[REDACTED]

c. (b) (5)

[REDACTED]

d. (b) (5)

[REDACTED]

e. (b) (5)

[REDACTED]

f. I recommend that LT (b) (6), (b) (7)(C) be recognized for exercising bystander intervention at the appropriate time.

(b) (6), (b) (7)(C)

[REDACTED]



DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON, D.C. 20350-2000

5830  
Ser DNS-L/16U112542  
15 Dec 16

From: Director, Navy Staff  
To: CAPT (b) (6), (b) (7)(C), USN

Subj: APPOINTMENT TO CONDUCT PRELIMINARY INQUIRY

Ref: (a) JAGMAN  
(b) R.C.M. 303 (M.C.M., 2012 Ed.)

1. This letter appoints you, per references (a) and (b), to conduct a preliminary inquiry into the facts and circumstances surrounding allegations of sexual harassment against CDR (b) (6), (b) (7)(C), USN. Report your findings and recommendations to me in letter form no later than 23 December 2016, unless an extension of time is granted.

2. You are directed to seek legal advice from CDR (b) (6), (b) (7)(C), JAGC, USN, prior to commencing your inquiry and as needed thereafter. CDR (b) (6), (b) (7)(C) may be reached at (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C).

  
J. G. FOGGO

Copy to:  
CHINFO  
OPNAV N00J

000005 (1)

I would like to begin by saying that Cmdr. (b) (6), (b) (7)(C) is a professional within the PA community for whom I have a great deal of respect. He has a reputation for being an artful communicator, and I have learned that to be true the few times we have crossed paths in the workplace.

Before December 13, the day of the Christmas party, all interactions between Cmdr. (b) (6), (b) (7)(C) and I had been professional and positive. At the Christmas party Cmdr. (b) (6), (b) (7)(C) made several comments that in isolation seem benign, but said in tandem with each other made me feel uneasy and in hindsight, targeted. Chronologically: he told both my co-worker and me that he wanted us to come and work for him; he told us that he had looked up my address, saying something like, "Here's to looking up your old address." Finally he pointed out that he would be on my O-4 board. Specifically, he said something along the lines of, "watch out – I will probably be on your O-4 board one day." After the O-4 board comment I turned to my friend, LT (b) (6), (b) (7)(C) who also heard the comment, and asked her if she had to go to the bathroom. I was removing myself from the conversation because I was no longer comfortable. While comments struck me as inappropriate and made me uneasy, I did not feel unsafe at this point. There was alcohol at the party and I viewed the comments as a symptom of indulgence—and I was hoping I was overthinking the situation.

The remainder of the Christmas party was fine; I was there late because I agreed earlier in the day to ride the yellow-line home with my friend Lt. (b) (6), (b) (7)(C). She planned the party, and was making sure everything was cleaned up before departing for the day. I helped her clean and spoke with various other people at the party, but not to Cmdr. (b) (6), (b) (7)(C). As we were leaving Lt. (b) (6), (b) (7)(C) was asked if she would be going to dinner, and she responded that she would go if I went with her. I told her I would go with her to the dinner.

I was the last to walk into the restaurant and was seated next to Cmdr. (b) (6), (b) (7)(C). Shortly after sitting down, Cmdr. (b) (6), (b) (7)(C) made a phone call and upon hanging up he commented that he was not a good person. I did not want to ask him why he felt that way, so I responded that I believe that we are able to start each day fresh, making decisions that coincide with the person we would like to be. He laughed and said loudly "what is this, an intervention?" I immediately felt embarrassed and uneasy. I felt the conversation had begun to get too personal, so I tried to defuse the situation by changing the topic to work.

I asked him what I should do after my tour at CHINFO. He said I should try to be a deputy PAO. I said I would love that job, but that I am pretty junior and know that it would be competitive. He said he would make sure I got wherever I wanted to go, and to let him know when I was transferring. He made subtle comments about my appearance and demeanor. For example, I mentioned that I thought being the PAO for (b) (6), (b) (7)(C) would be a cool job. He told me not to do it, that it was a bad idea for a young, beautiful woman to be surrounded by (b) (6), (b) (7)(C) that they would "run through me." He told me he had heard positive things about me from people I represented. The rest of the conversation went similarly- at some point he said that an aircraft carrier PAO is a great experience, and I asked my coworker Ens. (b) (6), (b) (7)(C),

ENCLOSURE 2

who was sitting across from me and is heading to a carrier for his next tour, if he had heard the comment. Ens. (b) (6), (b) (7)(C) said he had not, and I repeated it for him.

I went to the bathroom after ordering dinner, but prior to its arrival. When I returned, my friend Lt. (b) (6), (b) (7)(C) had taken my seat and told me to sit in her chair. She has since told me she did this because she observed Cmdr. (b) (6), (b) (7)(C)'s arm on my chair, and that he was leaning into me while speaking. At this point I began to get very tired and was ready to leave. When we finished our dinner, Lt. (b) (6), (b) (7)(C) used my phone to call a cab and we went home. The cab arrived at 2000, based on the text's I received from the driver, and I fell asleep in the cab almost instantly.

It is important to note at this point that I do not have Cmdr. (b) (6), (b) (7)(C)'s phone number. The following morning when I asked Ens. (b) (6), (b) (7)(C) about it, he told me he gave the Cmdr. my number.

At 2003 I received a call from Cmdr. (b) (6), (b) (7)(C). Lt. (b) (6), (b) (7)(C) had my phone. She answered and said that she would make sure I got home. He called again five more times, at 2004, 2017, 2018, 2032 and 2040.

When I returned home I sat on the couch with my roommate to watch TV and again fell asleep immediately. I woke up an hour later and my roommate told me she thought someone important had called, and that I should call them back. I still did not know that this was Cmdr. (b) (6), (b) (7)(C)'s number. Still half asleep, at 2145 I called the number, it went to voicemail and I hung up without listening to the greeting.

I then noticed I had two texts from (b) (6), (b) (7)(C). The first said "Hey just want to make sure you ok...this is (b) (6), (b) (7)(C)" (2005) The second said "We are leaving... you want company?" (2026)

I accidentally "Facetime Audio" called (b) (6), (b) (7)(C) three times when I was trying to screen shot the messages. Each time my phone called the address, I immediately cancelled the call—I am doubtful they even went through to his phone, but thought it prudent to mention.

I responded to the texts at 2206 "I got home okay," and "Thanks for checking on me!"

My roommate then asked me who kept calling; I said I didn't know, called back once more at 2219pm- still worried someone important had called. This time I listened to the voicemail greeting and realized it had been Cmdr. (b) (6), (b) (7)(C) calling me.

The following morning upon arriving at my desk, I asked Lt. Cmdr. (b) (6), (b) (7)(C) if she had a moment to talk about something. I told her about the texts and calls, and asked her what I should do. She told me that I was not the first person this has happened to—that he had a reputation for this.

ENCLOSURE (2)

At around 0900 Cmdr. (b) (6), (b) (7)(C) walked into the room and asked "did everyone get home okay last night?" I responded "Yes, Sir," and continued to work. At 0928 I received an email from him asking me to swing by his office when I had a moment. I was very nervous about being in his office, but assuming he wanted to apologize and feeling obligated because he is a commander, I responded that I would. I never went to his office, heeding the advice of someone I trusted and my instinct. I trust my chain of command, but I am terrified of retaliation from Cmdr. (b) (6), (b) (7)(C) because he is a powerful person in the PAO community.

(b) (6), (b) (7)(C)

EXHIBIT (2)

Summary Statement of LCDR (b) (6), (b) (7)(C) -- 16 DEC 16:

I was at the CHINFO party the entire time except for 1345-1600. I heard that some people went to a restaurant for dinner afterward, but I did not attend. At the holiday party LT (b) (6), (b) (7)(C) told me that CDR (b) (6), (b) (7)(C) said weird things to her, such as implying that he knew where she lived or used to live.

LT (b) (6), (b) (7)(C) approached me the morning after the holiday party and told me that she received inappropriate text messages from CDR (b) (6), (b) (7)(C). She was embarrassed about her behavior because she had too much to drink. She did not express concerns about her career. I took her to CDR (b) (6), (b) (7)(C) who said that she should report it.

I was not surprised to hear of the inappropriate text messages from CDR (b) (6), (b) (7)(C). Another young female PAO relayed a similar account to me in August of 2015 at the PAO Symposium. LT (b) (6), (b) (7)(C) told me then that she had dinner with CDR (b) (6), (b) (7)(C) while she was in Baltimore for (b) (6), (b) (7)(C) while she was serving as the (b) (6), (b) (7)(C). LT (b) (6), (b) (7)(C) expected it to be a mentoring-type dinner as she previously worked for CDR (b) (6), (b) (7)(C), but she said it became clear to her that was not the case. She viewed it as a "hit on me" dinner. She told me that she felt singled out afterward.

I have warned LT (b) (6), (b) (7)(C) about CDR (b) (6), (b) (7)(C), specifically, that he has a tendency to pay close attention to young female officers. There is a rumor that CDR (b) (6), (b) (7)(C) had a previous relationship with a female LT who worked for him while he was at the news desk, LT (b) (6), (b) (7)(C). I believe she is now out of the Navy (b) (6), (b) (7)(C).

ENCLOSURE (5)

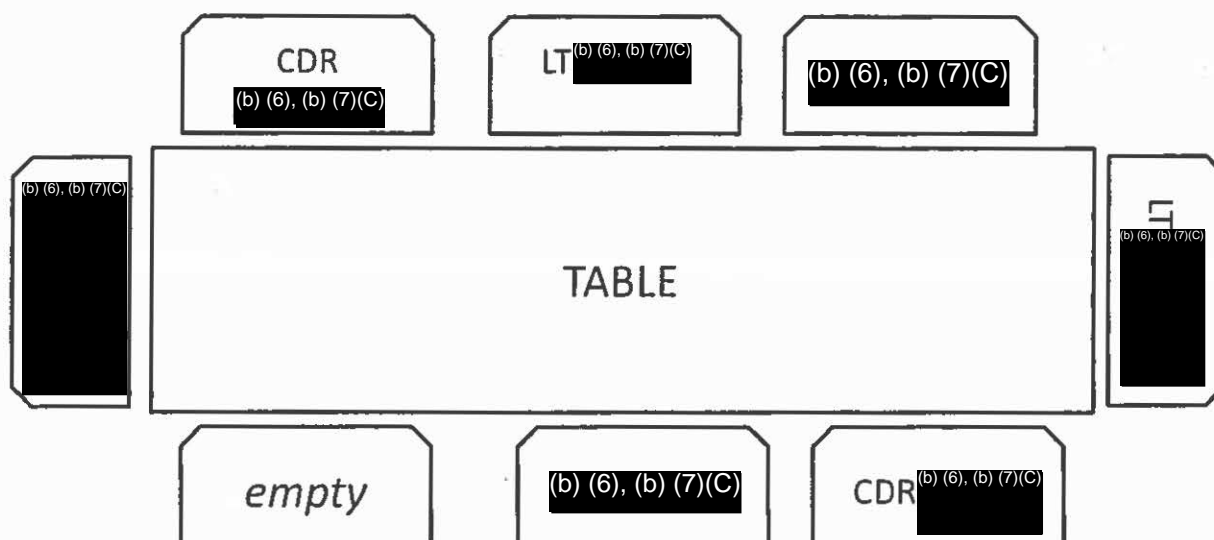
21 Dec. 2016

To: Commander (b) (6), (b) (7)(C), JAG  
 From: Commander (b) (6), (b) (7)(C)  
 Subj: Preliminary Investigation Statement

1. The following statement is provided in addition to in-person interview conducted on 19 Dec.
2. I have known Commander (b) (6), (b) (7)(C) since 2004 when we worked as Lieutenants on the CHINFO news desk. I was his sponsor and we both supported the personnel account until my transfer to C2F in Feb 2005. We remained in contact over the years both professionally and personally. I consider him one of the Navy's most skilled Public Affairs Officers, and he is a friend. During the party, Cdr. (b) (6), (b) (7)(C) attended the CHINFO Holiday party dressed as Santa Claus. We did not spend much time together during the party, but he was easy to find.
3. The annual CHINFO Holiday Party occurred on 13 December in the CHINFO space (4B463) and began at 1100. The party is invite only and is attended by leadership and staff personnel from OPNAV and the Secretariat; Pentagon, national, and trade press; Public Affairs Officers from other services, the capitol region area, OSD, and JCS; past CHINFOs; and numerous points of contact the CHINFO team has worked with throughout the year. The party is CHINFOs thank you to all the people we support throughout the year. There is food, deserts, and non-alcoholic drinks served throughout the spaces. The conference room is used to serve alcohol.
4. During the party I spent the vast majority of my time walking around talking with as many people as possible in addition to randomly monitoring my email. The USMC had just put an Osprey into the water near Okinawa so I was tracking the progress for information release. I spent time talking with the guests, staff members, and friends I had not seen in several years in between returning to my office to check email. As the crowd cleared out, I spent a good amount of time talking with the (b) (6), (b) (7)(C), the Vice Chief of Information, RDML Robert Durand, and my colleague Ms. (b) (6), (b) (7)(C) near the news desk sitting area. A large group of the CHINFO action officers were sitting in the news desk seats talking. Commander (b) (6), (b) (7)(C) was sitting with them. I did not see or hear anything beyond normal party banter...and a Santa suit.
5. After I had returned to my office and changed into civilian clothes Cdr. (b) (6), (b) (7)(C) who had also changed into civilians, stopped by my office to invite me to dinner. We went to (b) (6), (b) (7)(C) in Crystal City. The full group included myself, Cdr. (b) (6), (b) (7)(C), Lt. (b) (6), (b) (7)(C) (female), Lt. (b) (6), (b) (7)(C), Ensign (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), and (b) (6), (b) (7)(C). I was not involved in who was invited to dinner, and was surprised the group was not larger.

ENCLOSURE (4)

6. We were all seated around 1815. We were seated in the following positions:



7. At dinner, two bottles of wine that were ordered. I did not pay attention to who drank it, or if there was any left over. I had water and the pulled-pork. During dinner I primarily conversed with Lt. (b) (6), (b) (7)(C) Mr. (b) (6), (b) (7)(C) and Mr. (b) (6), (b) (7)(C). I did not see any inappropriate contact or touching between Cdr. (b) (6), (b) (7)(C) and Lt. (b) (6), (b) (7)(C) during dinner, or at all during the day. I did notice that they were talking for a while. I did not see them interacting any closer than anyone else at the table. At one point Ens. (b) (6), (b) (7)(C) slide into the empty seat to join in on the conversation Mr. (b) (6), (b) (7)(C) Mr. (b) (6), (b) (7)(C) Lt. (b) (6), (b) (7)(C) and I were having. After dinner had arrived, Lt. (b) (6), (b) (7)(C) and Lt. (b) (6), (b) (7)(C) both got up from the table (I assume) to use the restroom. When they returned, Lt. (b) (6), (b) (7)(C) sat in the (b) (6), (b) (7)(C) seat and Lt. (b) (6), (b) (7)(C) sat in the (b) (6), (b) (7)(C) seat. I began to talk with Lt. (b) (6), (b) (7)(C) about her recent Australia trip and quickly became concerned with her level of alertness. In our conversation she put her hand on my thigh; I removed it, and immediately signaled to Lt. (b) (6), (b) (7)(C) <sup>near my knee</sup> that it was time to get Lt. (b) (6), (b) (7)(C) home. Lt. (b) (6), (b) (7)(C) volunteered to ride in a cab to Lt. (b) (6), (b) (7)(C) residence to ensure her safe arrival. Ens. (b) (6), (b) (7)(C) and Cdr. (b) (6), (b) (7)(C) left the restaurant with Lt. (b) (6), (b) (7)(C) and Lt. (b) (6), (b) (7)(C) to ensure they got into the cab. I stayed in the restaurant to pay the servers tip, which took a couple of minutes using a credit card. When I left the restaurant, Cdr. (b) (6), (b) (7)(C) Lt. (b) (6), (b) (7)(C) and Lt. (b) (6), (b) (7)(C) had all departed.
8. At approximately, 8:07 pm I sent Lt. (b) (6), (b) (7)(C) a text message to ensure safe delivery of Lt. (b) (6), (b) (7)(C). I did not get an immediate response so I also sent a text to Lt. (b) (6), (b) (7)(C). A short time later I received confirmation from Lt. (b) (6), (b) (7)(C) that Lt. (b) (6), (b) (7)(C) was home with her roommate and that she was also home safe. Around 9:05 Cdr. (b) (6), (b) (7)(C) confirmed with me that he was home. At approximately 10:30 I received a text from Lt. (b) (6), (b) (7)(C) apologizing for the delay in responding and she confirmed she was home.
9. On 14 December after completing my morning meetings I was notified by my deputy LCDR (b) (6), (b) (7)(C) that Lt. (b) (6), (b) (7)(C) expressed concerned because she stated she received multiple phone

ENCLOSURE (4)

calls and multiple text messages from Commander (b) (6), (b) (7)(C) from the previous night. I asked LCDR (b) (6), (b) (7)(C) to talk with Lt. (b) (6), (b) (7)(C) to determine if she wanted to file a complaint. She confirmed that she did and LCDR (b) (6), (b) (7)(C) and I notified, (b) (6), (b) (7)(C) [REDACTED] [REDACTED]. When I heard the allegations, I had a pit in my stomach. Either one of my Lieutenants was lying, or my friend was making passes at one of my lieutenants. We were later notified by Capt. (b) (6), (b) (7)(C) I can't recall if it was 14 or 15 December, that legal will conduct a preliminary investigation.

10. When I was asked by the interviewer if I was aware of Cdr. (b) (6), (b) (7)(C)'s relationship with any other women, I stated I was aware that when he was separated from his wife a couple of years ago, he dated (b) (6), (b) (7)(C). I know (b) (6), (b) (7)(C) because she served with under me when we were both assigned on temporary duty to USS Bataan in support of Haiti earthquake relief efforts in 2009. I maintained contact with her for a short time but lost contact after she departed Norfolk. I believe she currently works for (b) (6), (b) (7)(C) and may still be a (b) (6), (b) (7)(C). Cdr (b) (6), (b) (7)(C) has since reconciled with his wife and lives at home. I have not been to his house in years, but understand things are going well.

(b) (6), (b) (7)(C)

21 Dec 2016

LT (b) (6), (b) (7)(C) Statement – 20 Dec 16:

On 13 December following the CHINFO Holiday Brunch, I went to dinner in Crystal City at a restaurant called (b) (6), (b) (7)(C) with LT (b) (6), (b) (7)(C), CDR (b) (6), (b) (7)(C), CDR (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) and ENS (b) (6), (b) (7)(C). CDR (b) (6), (b) (7)(C) asked if I wanted to go to dinner with a bunch of people as I was cleaning up from the Christmas party and I agreed to go as long as LT (b) (6), (b) (7)(C) was also going. I didn't witness interaction between CDR (b) (6), (b) (7)(C) and LT (b) (6), (b) (7)(C) at the Christmas party. I was busy hosting and cleaning up. I observed CDR (b) (6), (b) (7)(C) drinking with other people at the party. Although I did not observe how much CDR (b) (6), (b) (7)(C) had to drink, I had a feeling that he should not be driving. CDR (b) (6), (b) (7)(C) drove LT (b) (6), (b) (7)(C), Mr. (b) (6), (b) (7)(C) and I to the restaurant. I believe CDR (b) (6), (b) (7)(C) drove ENS (b) (6), (b) (7)(C) and Mr. (b) (6), (b) (7)(C).

At dinner, LT (b) (6), (b) (7)(C) sat next to CDR (b) (6), (b) (7)(C) -- it was the only chair left at the table. We ordered, ate, and the conversation was professional. Three total bottles of wine were ordered and shared among those at the table. I do not know if all three bottles were consumed in entirety. Towards the end of dinner I noticed CDR (b) (6), (b) (7)(C)'s arm across the back of LT (b) (6), (b) (7)(C) chair. Regardless, I felt uncomfortable with the situation due to CDR (b) (6), (b) (7)(C)'s body language and because LT (b) (6), (b) (7)(C) didn't seem to notice. This prompted me to ask her to switch places with me. LT (b) (6), (b) (7)(C) switched places with me. Shortly thereafter, I noticed that LT (b) (6), (b) (7)(C) was visibly intoxicated and it was time to leave. I used her phone to call a cab.

Once in the cab, LT (b) (6), (b) (7)(C) fell asleep. During the cab ride from the restaurant to LT (b) (6), (b) (7)(C) apartment, CDR (b) (6), (b) (7)(C) called LT (b) (6), (b) (7)(C)'s phone twice. I answered both times and said something along the lines of "thanks, I got it" each time. Once at the apartment building, I walked with her upstairs. Her roommate answered the door. Then, I took the same cab home to my apartment.

(b) (6), (b) (7)(C)

103045 (5)

START OF LT (b) (6), (b) (7)(C) STATEMENT:

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On the day of the CHINFO Christmas party, I observed CDR (b) (6), (b) (7)(C) in a very intoxicated state. I could smell alcohol on him from a distance (3 feet), and by the end of the party, he was slurring his words and staggering when walking.

I did not observe LT (b) (6), (b) (7)(C) and CDR (b) (6), (b) (7)(C) together at the party. I did not personally observe LT (b) (6), (b) (7)(C) intoxicated at the party.

After the CHINFO Christmas party, CDR (b) (6), (b) (7)(C) walked to the front office, where I observed him slurring and stumbling. I was in the front office at my desk at the time. The party was wrapping up, and most of the guests had departed, with only CHINFO staff remaining. Some staff were cleaning up, and some were talking and still drinking.

After observing CDR (b) (6), (b) (7)(C)'s drunken state, I then walked to CDR (b) (6), (b) (7)(C) office in the main CHINFO space, where a group of CHINFO people were congregated inside. I recall seeing CDR (b) (6), (b) (7)(C) – approximately 4-5 others were gathered in the office, but I do not recall the other individuals specifically. I believe ENS (b) (6), (b) (7)(C) and CDR (b) (6), (b) (7)(C) were also in the office, facing away from me (towards CDR (b) (6), (b) (7)(C)). I stepped into the doorway of CDR (b) (6), (b) (7)(C) office and asked CDR (b) (6), (b) (7)(C) who was taking CDR (b) (6), (b) (7)(C) home. The specific words I used were, "Who's got CDR (b) (6), (b) (7)(C)?" CDR (b) (6), (b) (7)(C) paused and looked directly at me and said "I do."

After I stepped out of the doorway, CDR (b) (6), (b) (7)(C) walked from the front office towards CDR (b) (6), (b) (7)(C) office approaching me from my left. CDR (b) (6), (b) (7)(C) then pulled me into a hug, which I tried to pull away from. I kept myself sideways to limit contact, and maneuvered to be in front of the doorway, in full view of CDR (b) (6), (b) (7)(C). CDR (b) (6), (b) (7)(C) then slurred a "Thank you" at me. I could smell alcohol on him. I said "You're welcome" and attempted to pull away. The hug then broke up. Noting CDR (b) (6), (b) (7)(C)'s extreme intoxication, I again looked at CDR (b) (6), (b) (7)(C) and asked CDR (b) (6), (b) (7)(C) again, "You've got CDR (b) (6), (b) (7)(C)?" and he confirmed, "I do." I re-confirmed this with him because I was concerned about CDR (b) (6), (b) (7)(C) driving, as he was clearly very intoxicated. CDR (b) (6), (b) (7)(C) was quiet at the time, but did not appear intoxicated to me.

As I went to walk away from CDR (b) (6), (b) (7)(C) office, CDR (b) (6), (b) (7)(C) pulled me in again for a second hug, which lasted approximately 5-10 seconds. I again tried to maneuver myself away and pulled away, as I was uncomfortable with the interaction. He slurred another "Thank you so, so, so much" to me, and I said, "You're welcome" to him before walking around him and back to the front office. I do not know if anyone in the office observed the interaction, as the group in CDR (b) (6), (b) (7)(C) office were exceptionally rowdy and consumed in their conversation at the time.

After the interaction with CDR (b) (6), (b) (7)(C) I checked in with several others in the CHINFO spaces that evening to ensure they had rides home or a plan to get home safely. I spoke with (b) (6), (b) (7)(C), who was also very intoxicated. (b) (6), (b) (7)(C) was sitting in the CHINFO front office at the time. (b) (6), (b) (7)(C) CAPT (b) (6), (b) (7)(C) and I had a conversation about how (b) (6), (b) (7)(C) was going to get home. (b) (6), (b) (7)(C) said he would metro

1  
(b) (6), (b) (7)(C) 21 DEC 2016

ENCLOSURE 61

home, and we talked about him getting home safely on the metro. I also spoke with LT (b) (6), (b) (7)(C). LT (b) (6), (b) (7)(C) told me she was going to go to the mall to shop for a few hours, and then she would drive home.

I also briefly spoke with LT (b) (6), (b) (7)(C) who appeared sober and said that she and LT (b) (6), (b) (7)(C) were sticking together. The conversation was quick, as LT (b) (6), (b) (7)(C) was consumed with cleaning up the party.

After making a second round through the CHINFO main spaces, I returned to my desk in the front office. While there, CDR (b) (6), (b) (7)(C) came to the front office and asked me if I would like to join the group going out for drinks. I told him I could not, as I had a sick partner at home that I needed to care for. He said "Aww, ok, ok, ok" and stumbled back towards the CHINFO main space. I believe CAPT (b) (6), (b) (7)(C) and possibly CDR (b) (6), (b) (7)(C) observed the interaction at the time but I am not positive. As CDR (b) (6), (b) (7)(C) walked away, I could see a group of CHINFO personnel gathering, which included ENS (b) (6), (b) (7)(C) and LT (b) (6), (b) (7)(C) all in civilian attire. I also saw CDR (b) (6), (b) (7)(C) join the group, but he was apart from LT (b) (6), (b) (7)(C) at the time.

I observed the group leaving the CHINFO spaces and I departed CHINFO shortly after and went home. When I left the building, I texted LCDR (b) (6), (b) (7)(C) about my interaction with CDR (b) (6), (b) (7)(C), telling her that it was weird and I wanted to talk with her about it tomorrow. LCDR (b) (6), (b) (7)(C) knew of my previous uncomfortable interaction with CDR (b) (6), (b) (7)(C) during the (b) (6), (b) (7)(C) in 2014.

When I came into work the next day, LCDR (b) (6), (b) (7)(C) asked if she could speak with me and asked me what had happened with CDR (b) (6), (b) (7)(C). I explained to her the uncomfortable hugs I had received and that CDR (b) (6), (b) (7)(C) had been exceptionally drunk, far more than anyone else I had observed that night. LCDR (b) (6), (b) (7)(C) then told me that she had been informed of an interaction between CDR (b) (6), (b) (7)(C) and LT (b) (6), (b) (7)(C) that in several instances sounded exactly like what I had described in my interaction with him in Baltimore in 2014. She and I then talked about what LT (b) (6), (b) (7)(C) had told her, and I encouraged her to raise the issue with leadership. I told her that I regretted not speaking up about my interaction with CDR (b) (6), (b) (7)(C) in 2014, and would speak up now.

Before the CHINFO Christmas party, only two individuals knew of my interaction with CDR (b) (6), (b) (7)(C) during the (b) (6), (b) (7)(C) - LCDR (b) (6), (b) (7)(C) who I had previously told at the Navy PA Symposium, and MAJ (b) (6), (b) (7)(C), a (b) (6), (b) (7)(C) and my best friend. I do not recall telling anyone else about the interaction prior to the CHINFO Holiday Party. I do not believe anyone observed the interaction with CDR (b) (6), (b) (7)(C) at the time of the incident.

The interaction occurred during the (b) (6), (b) (7)(C) sometime between September 9-14, 2014. I do not recall the specific day.

In 2013, I was assigned to the (b) (6), (b) (7)(C). CDR (b) (6), (b) (7)(C) arrived as CNP's PAO in the summer of 2013. I worked for CDR (b) (6), (b) (7)(C) for approximately 1 ½ months before I left that assignment for my new assignment with (b) (6), (b) (7)(C). CDR (b) (6), (b) (7)(C), LCDR (b) (6), (b) (7)(C) and I all worked together at CNP before I left for (b) (6), (b) (7)(C).

While at CNP, CDR (b) (6), (b) (7)(C) mentored me, and while I was at CNP our interactions were purely professional. I saw him only as a mentor and senior officer, and after I left CNP I consulted both him and LCDR (b) (6), (b) (7)(C) on public affairs matters when I needed assistance. During my time at CNP, my marriage was struggling, and shortly after I left CNP my husband and I separated. CDR (b) (6), (b) (7)(C) knew this information and had shared with me while I was at CNP that he was also getting divorced. On occasion after I left CNP he would check in with me to see how I was doing both professionally and with the divorce. For the first 6 months after my time at CNP, the interactions between CDR (b) (6), (b) (7)(C) and I were professional. I also kept in touch with LCDR (b) (6), (b) (7)(C) and I considered her a close friend.

Approximately a month before the (b) (6), (b) (7)(C), CDR (b) (6), (b) (7)(C) reached out to me to ask about my schedule in Baltimore. He offered to take me out to dinner. I agreed to go to dinner, and told him I would need to work it around my (b) (6), (b) (7)(C) schedule.

I do not recall what night we met to have dinner. I recall that he selected the restaurant, which was close to my hotel. I believe I met him at the restaurant. During the dinner I did not drink, but I believe CDR (b) (6), (b) (7)(C) had one scotch drink. CDR (b) (6), (b) (7)(C) asked me about how I was doing post-divorce, and I recall discussing that I was doing well. I recall him telling me specifics about his separation from his wife, and that it was financially difficult on him, and that being separated from his children was also difficult. I recall him telling me that he and (b) (6), (b) (7)(C) (LT (b) (6), (b) (7)(C)) were dating but that it was "casual" between them, and that she wanted more from him but he wanted to keep things casual between them. I believe (b) (6), (b) (7)(C) was working at (b) (6), (b) (7)(C) at the time of this conversation, but can not 100% recall. I recall CDR (b) (6), (b) (7)(C) telling me that he and (b) (6), (b) (7)(C) had been dating previously when they were both at CHINFC. but that he had gotten "in trouble" for their relationship and because of their relationship she had left the Navy to work at a job at (b) (6), (b) (7)(C) he helped her get.

After dinner, CDR (b) (6), (b) (7)(C) suggested we continue our conversation at a nearby bar. It was dark when we left the restaurant, and not in a great part of downtown Baltimore. I agreed to continue the conversation, and we sat down at the main bar. I do not recall the name of the bar. I recall the main part of the actual bar being L-shaped, and we sat at the left side of that bar table. The bar was a typical raised-bar setup, with a large mirror in front of us and a setup of bottles in front of us, and raised barstools.

CDR (b) (6), (b) (7)(C) sat near the curved, L-shaped portion of the bar, and I sat on his immediate right. We were both sitting on raised bar stools facing the bar, mirror, and bartender. I recall CDR (b) (6), (b) (7)(C) ordering at least 3 scotch drinks during our time at the bar. I believed I ordered one vodka cranberry drink and a water. I remained sober during our time at the bar, as I knew I had to work the next day (b) (6), (b) (7)(C).

The conversation at the bar from CDR (b) (6), (b) (7)(C) turned more "grey area" in topic during the evening, with CDR (b) (6), (b) (7)(C) asking questions more personal in nature, such as who I was dating and if I was dating any of the (b) (6), (b) (7)(C) and what I thought of each of the (b) (6), (b) (7)(C) on a personal level. I attempted to brush these questions off and kept the conversation on neutral topics. I was firm in telling him I was not dating any of (b) (6), (b) (7)(C), and our relationships were friendly but professional in nature. During the conversation CDR (b) (6), (b) (7)(C)'s blackberry buzzed multiple times. I saw the name "(b) (6), (b) (7)(C)" on the phone

and CDR (b) (6), (b) (7)(C) confirmed it was her calling and texting him. Several times during our conversation she called, and he silenced the phone each time it buzzed. I recall saying he should answer her calls and texts so she would not be worried, and he told me to ignore it.

We talked about my next career move, and he spoke about where I should get orders to next. He told me if I wanted to leave the team and go back to CNP he would "take me back." I recall he was very vocal about me leaving (b) (6), (b) (7)(C), and did not think my assignment there was good for my career as a PAO.

Later in the evening during our conversation at the bar, CDR (b) (6), (b) (7)(C) placed his right hand on the top of my left thigh. I jumped and then removed his hand off my thigh with my hand, and said, "I'm sorry, I have a boyfriend." CDR (b) (6), (b) (7)(C) then put his right hand around my shoulders, resting his right hand on my right shoulder and pulling me towards him in a sideways-type hug. I recall being pulled slightly off my barstool by his embrace. He laughed and said something like, "Oh come on, I know you've been looking at me all night." I shrugged out of his arm and reiterated that I had a boyfriend. I then signaled to the bartender to come over and asked to close out the tab. I remember paying the tab and CDR (b) (6), (b) (7)(C) saying something like "Don't be mad." I recall him slurring his words and telling him that he was drunk and it was time for him to get home. I then asked him if I needed to call him a cab. He declined my offer to call a cab and told me he wanted to walk me back to the hotel. It was dark at the time, and late, but I do not recall exactly what time it was. We walked back to my hotel. When we entered my hotel lobby he stumbled and swayed several times. I once again asked him how he was getting home and offered to call him a cab. He then told me he "Didn't want to sleep with me, he only wanted to come upstairs to my room and make out." I asked him how he was getting home, and offered to call someone to come get him. He told me "Don't worry about it" and stumbled back towards the main lobby. I then let him in the lobby and took the elevator to my room. Once I entered my room, I immediately called my friend MAJ (b) (6), (b) (7)(C) and told him what had happened. I was uncomfortable and embarrassed and did not know what to do. During our conversation, I told MAJ (b) (6), (b) (7)(C) I wanted to just forget about it.

After the Baltimore incident, I do not recall interacting again with CDR (b) (6), (b) (7)(C) until I returned to the Pentagon for my assignment to the CHINFO News Desk in January 2016. I only interacted with CDR (b) (6), (b) (7)(C) professionally when work required. About a month or so into my tour, I was at CDR (b) (6), (b) (7)(C)'s office for a discussion related to one of my accounts on the CHINFO News Desk. CDR (b) (6), (b) (7)(C) was clearly uncomfortable and was very short in his responses to me. I asked him during that conversation if we could please remain professional. He then said he didn't know how to act with me, since the last time he was alone with me "he was practically humping my leg." I do not believe anyone heard our conversation. LCDR (b) (6), (b) (7)(C) was at his cubicle outside of CDR (b) (6), (b) (7)(C)'s office during this meeting, but he had his headphones in when I came out of the office, and I do not believe he heard this conversation with CDR (b) (6), (b) (7)(C).

Until the CHINFO Christmas Party, only two people knew of my interaction with CDR (b) (6), (b) (7)(C) in Baltimore. I told LCDR (b) (6), (b) (7)(C) during the PA Symposium in 2015 when we were catching up – I had not seen her face-to-face since I had left CNP in 2013. She teased me about why I hadn't stayed in better

touch with her or CDR (b) (6), (b) (7)(C) at CNP after I left, and I then told her what had happened in Baltimore with CDR (b) (6), (b) (7)(C).

When I arrived at CHINFO in 2016 LCDR (b) (6), (b) (7)(C) was observant of my interactions with CDR (b) (6), (b) (7)(C) because she knew I was uncomfortable around him, but also knew I did not want to notify my chain of command about what had happened previously.

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END STATEMENT

(b) (6), (b) (7)(C)

LT (b) (6), (b) (7)(C) statement provided to Investigation Officers 19 DEC 16:

I attended the CHINFO Holiday Party in CHINFO spaces at 1100 on Tuesday, December 13<sup>th</sup>. At approximately 1230, I was sitting at my desk talking with LT (b) (6), (b) (7)(C) LT (b) (6), (b) (7)(C) CDR (b) (6), (b) (7)(C) CDR (b) (6), (b) (7)(C) and various other people as they joined and left the conversation. At one point, CDR (b) (6), (b) (7)(C) told LT (b) (6), (b) (7)(C) and me that he wanted us to work for him in CNO's Public Affairs Office. LT (b) (6), (b) (7)(C) and I did not respond to the comment. After a few more minutes, CDR (b) (6), (b) (7)(C) told LT (b) (6), (b) (7)(C) that he looked her up (ie. address) and knew where she used to live and work in (b) (6), (b) (7)(C). LT (b) (6), (b) (7)(C) and I made eye contact, had a nonverbal acknowledgement that the comment was awkward by widening our eyes at each other, and did not respond to CDR (b) (6), (b) (7)(C). When asked in the investigation how I observed CDR (b) (6), (b) (7)(C) and LT (b) (6), (b) (7)(C) state to be during these comments, I classified them both as tipsy. I would describe his actions as flirty and with a sense of "bravado"; the group of us talked from about 1230-1300 before I left to talk to other people.

When asked in the investigation what kind of alcohol was being consumed by CDR (b) (6), (b) (7)(C) and LT (b) (6), (b) (7)(C) at the party, I saw CDR (b) (6), (b) (7)(C) drinking beer and straight whiskey and LT (b) (6), (b) (7)(C) drinking mimosa, beer and straight whiskey. I saw CDR (b) (6), (b) (7)(C) taking shots. He took at least one shot around 13:00 and he was drinking a beer around 16:30. I could not provide an accurate number of drinks as I was not around CDR (b) (6), (b) (7)(C) and LT (b) (6), (b) (7)(C) the whole time.

I left our office at approximately 1700 to go pick up my dog from daycare. When I left I said goodbye, LT (b) (6), (b) (7)(C) LT (b) (6), (b) (7)(C) ENS (b) (6), (b) (7)(C) CDR (b) (6), (b) (7)(C) CDR (b) (6), (b) (7)(C), Mr. (b) (6), (b) (7)(C), and Mr. (b) (6), (b) (7)(C) were still left in the spaces.

I failed to mention in my investigation interview that I texted LT (b) (6), (b) (7)(C) later that night at 1903 and asked her "How ya doing". She didn't respond. I texted her again at 2146 and said "(b) (6), (b) (7)(C)." LT (b) (6), (b) (7)(C) then called me at 2147 and said that LT (b) (6), (b) (7)(C) had got her home okay and that she was going back to bed. I went to bed shortly thereafter.

When asked in the investigation about my previous impressions and interactions with CDR (b) (6), (b) (7)(C), I think he is a talented PAO, and he is respected in the community. I've learned through my two years here, that he is one of the senior officers in the community who has the ear of our Admiral for advising on appointing junior officers to different billets, especially ones in the Pentagon. I was warned by two female officers (LCDR (b) (6), (b) (7)(C) and LT (b) (6), (b) (7)(C) that I should be wary of him and keep my distance personally from him if he were to take an interest in me. In the workplace CDR (b) (6), (b) (7)(C) is much more informal around female LTs; this is widely known.

(b) (6), (b) (7)(C) 21DEC16

ENCLOSURE (7)

Statement of LT (b) (6), (b) (7)(C) -- 21 DEC 16:

I was present at the CHINFO Christmas party December 13 from about 1100 to 1545ish. The atmosphere was jovial and alcohol was being served. I drank two mimosas and then stopped drinking to ensure I was fit to pick up my kids from daycare. There was a great deal of drinking going on and I recognized that LTs (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) had had a bit too much and were starting to get very chatty with some of the O5 PAOs at the party (mainly CDRs (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) and reporter (b) (6), (b) (7)(C)). I decided to sit next to the two girls to make sure they wouldn't say something that they would feel embarrassed about once sober and to ensure that if they did get close to the line, I could remove them rather than force a commander to engage in an uncomfortable talk.

Nothing that was discussed concerned me. While the commanders were drinking hard liquor, I did not feel they were drunk or behaving inappropriately. LT (b) (6), (b) (7)(C) stopped drinking but LT (b) (6), (b) (7)(C) continued. We walked to the restroom together and she said that CDR (b) (6), (b) (7)(C) was saying all sorts of inappropriate things to her. I remember thinking that was a strange statement as I didn't remember anything inappropriate but I counseled her to remove herself from the situation if she felt uncomfortable. There was talk of going to dinner after the party but I declined because I had no one else to pick up my kids. I told both ladies they should go if they wanted to but they shouldn't feel obligated. I left, went back to my office to change and headed home on the metro.

The next morning, CDR (b) (6), (b) (7)(C) and I were looking at the schedule and he asked what (b) (6), (b) (7)(C) last name was. I told him and asked why. He said that she had gotten very intoxicated and had started getting flirty and handsy with him. He wanted to send her an email asking her to come to his office so he could, "nip it in the bud." He said he felt that she was probably feeling very embarrassed by her behavior and he wanted to reassure her that he could move past it professionally. I suggested that I be in the office while the conversation was happening and he said he had planned on leaving the door open but it was probably a good idea for me to be present. I left and went to the CHINFO 0845 standup meeting. When I got to CHINFO, LCDR (b) (6), (b) (7)(C) informed me that there were whisperings about inappropriate behavior on the part of CDR (b) (6), (b) (7)(C) involving some text messages. LT (b) (6), (b) (7)(C) showed me two text messages. One asked if she had gotten home ok and the other asked if she wanted any company. She told me she didn't remember anything about the night but that LT (b) (6), (b) (7)(C) said CDR (b) (6), (b) (7)(C) was flirting with her.

When I got back to the office I relayed the conversation to CDR (b) (6), (b) (7)(C) and asked why he sent her the text message. He said he and CDR (b) (6), (b) (7)(C) texted everyone to make sure they got home ok and that the second text message was meant for CDR (b) (6), (b) (7)(C), who he was also texting (she's the (b) (6), (b) (7)(C) and his friend). He wanted to clear up the misunderstanding with LT (b) (6), (b) (7)(C) but I advised him that since it appeared she was making an allegation against him, he should probably stay away. He agreed. He said he was going to notify our chain of command, including the CNO, to ensure he was being transparent. We agreed that we would not talk about it anymore and our conversations since have remained professional. He does know that I spoke with investigating officers.

CDR (b) (6), (b) (7)(C) is a fantastic PAO and a great boss. I have never felt uncomfortable in his presence. He cares about the people who work for him and is dedicated to his job and the success of telling the Navy's story.

(b) (6), (b) (7)(C)

LT (b) (6), (b) (7)(C)

ENCLOSURE (5)

**(b) (6), (b) (7)(C) CDR OPNAV, OPNAV DNS**

---

**From:** (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) >  
**Sent:** Friday, December 23, 2016 10:41  
**To:** (b) (6), (b) (7)(C) CDR OPNAV, OPNAV DNS  
**Subject:** Re: [Non-DoD Source] Re: PI

(b) (6), (b) (7)(C)

I think you should remove the "watch out" part for LT (b) (6), (b) (7)(C) I did not write that down for her, just something to do with being competitive and then "at some point I may be on your O-4 board.", but I did write it down for LT (b) (6), (b) (7)(C) however. LT (b) (6), (b) (7)(C) did corroborate the overall intent of the statement regardless.

V/r

(b) (6), (b) (7)(C)

On 12/23/16, 10:15 AM, "(b) (6), (b) (7)(C) CDR OPNAV, OPNAV DNS"  
<(b) (6), (b) (7)(C)> wrote:

>Copy, sir -- with your concurrence I will just include this email trail  
>to document the fact that, during her interview, she reluctantly  
>acknowledged that she heard CDR (b) (6), (b) (7)(C) say to LT (b) (6), (b) (7)(C) something  
>along the lines of, "watch out, at some point I may be on your O-4  
>board." She acknowledged that the comment made LT (b) (6), (b) (7)(C) uncomfortable.  
>  
>If you concur, please just respond to that effect and I will include  
>his email trail along with LT (b) (6), (b) (7)(C) statement.

>Thanks again,

>Vr/

>(b) (6), (b) (7)(C)

>-----Original Message-----

>From: (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)]  
>Sent: Friday, December 23, 2016 9:58 AM  
>To: (b) (6), (b) (7)(C) CDR OPNAV, OPNAV DNS  
>Subject: [Non-DoD Source] Re: PI

>Ok thanks

>Sent from my iPhone

>> On Dec 23, 2016, at 9:15 AM, (b) (6), (b) (7)(C) CDR OPNAV, OPNAV DNS  
>><(b) (6), (b) (7)(C)> wrote:

>> Sir,

>> Copy all and thanks for the backup on the enclosures. Attached is  
>>the text screenshot -- I used the timestamp to conclude they were both

>>sent at 8:05.

>>

>> There is one issue with LT (b) (6), (b) (7)(C) coming back and attempting to back  
>>away from her acknowledgement that CDR (b) (6), (b) (7)(C) made the O-4 board comment.  
>>I think we will need another memo for the record documenting that she  
>>reluctantly acknowledged it during her interview. I'll forward to you.

>> Thanks again and enjoy your leave.

>>

>> Vr

>> (b) (6), (b) (7)(C)

>>

>>

>> -----Original Message-----

>> From: (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)]

>> Sent: Friday, December 23, 2016 8:37 AM

>> To: (b) (6), (b) (7)(C) CDR OPNAV, OPNAV DNS

>> Subject: [Non-DoD Source] Re: PI

>>

>> (b) (6), (b) (7)(C)

>>

>> It looks like the enclosures 11-13 need to be added to the index in  
>>the beginning.

>>

>> V/r

>>

>> (b) (6), (b) (7)(C)

>>

>> On 12/23/16, 7:51 AM, "(b) (6), (b) (7)(C) CDR OPNAV, OPNAV DNS"

<(b) (6), (b) (7)(C) wrote:

>>

>>> Sir -- here is a final version with the enclosures marked. I also

>>> made a couple of additional points of clarification in para. 4c.

>>>

>>> Standing by for questions, clarifications, or your "digital signature"

>>> --

>>>

>>> V/r

>>> (b) (6), (b) (7)(C)

>>>

>>> -----Original Message-----

>>> From: (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)]

>>> Sent: Friday, December 23, 2016 4:51 AM

>>> To: (b) (6), (b) (7)(C); (b) (6), (b) (7)(C) CDR OPNAV, OPNAV DNS

>>> Subject: [Non-DoD Source] PI

>>>

>>> (b) (6), (b) (7)(C)

>>>

>>> I haven't received anything yet, so I am just checking to ensure you

>>> haven't tried and missed me for some reason.

>>>

>>> Thanks

Summary Statement of Mr. (b) (6), (b) (7)(C) -- 20 DEC 16:

I began working at CHINFO in 2011. I knew CDR (b) (6), (b) (7)(C) when he worked at (b) (6), (b) (7)(C); we worked together for a couple of years. I saw CDR (b) (6), (b) (7)(C) at the CHINFO Holiday Party. He was dressed as Santa. I was serving at the bar and I saw him at the bar.

There was hard liquor at the holiday party. Someone brought some bourbon; I believe it was ENS (b) (6), (b) (7)(C). CDR (b) (6), (b) (7)(C) was drinking at the holiday party, but I didn't pay attention to what he was drinking or how much.

I rode to the restaurant with CDR (b) (6), (b) (7)(C). I don't recall who else was in the car. I don't believe he was too drunk to drive, and it didn't concern me. He was tipsy; about the same level of intoxication I was. I can hold my liquor. At the party I had one beer, some champagne, and about 2-3 mimosas. I was in control the whole time.

At dinner, ENS (b) (6), (b) (7)(C) started by ordering two bottles of wine. One more bottle was ordered later. I did not ride with CDR (b) (6), (b) (7)(C) after dinner. I don't know for sure if he drove or not. At dinner, LT (b) (6), (b) (7)(C) was a little on the drunk side. LT (b) (6), (b) (7)(C) eventually said that it was time for her to go. I didn't observe any touching at dinner.

ENCLOSURE (7)

FaceTime Video

(b) (6), (b) (7)(C) (7)

FaceTime Video

(b) (6), (b) (7)(C)

mobile

+ (b) (6), (b) (7)(C)

United States

(b) (6), (b) (7)(C)

FaceTime Video

(b) (6), (b) (7)(C)

mobile

(b) (6), (b) (7)(C)

FaceTime Video

(b) (6), (b) (7)(C) (3)

FaceTime Audio

(b) (6), (b) (7)(C) (3)

FaceTime Audio



(b) (6), (b) (7)(C)

United States



(b) (6), (b) (7)(C)

United States



(b) (6), (b) (7)(C)

mobile



(b) (6), (b) (7)(C)

United States



(b) (6), (b) (7)(C) (2)

United States



(b) (6), (b) (7)(C)

United States



iMessage  
Yesterday 8:05 PM

Hey just want to make sure you  
ok...this is (b) (6), (b) (7)(C)

We are leaving... you want  
company?

Yesterday 10:07 PM

I got home okay

Thanks for checking on me!!!

Delivered

ENCLOSURE (1)

## SUSPECT'S RIGHTS ACKNOWLEDGEMENT/STATEMENT (See JAGMAN 0170)

FULL NAME (ACCUSED/SUSPECT) (b) (6), (b) (7)(C)	SSN N/A	RATE/RANK CDR	SERVICE (BRANCH) USN
ACTIVITY/UNIT OPNAV (CNO Office)			DATE OF BIRTH N/A
NAME (INTERVIEWER) (b) (6), (b) (7)(C)	SSN N/A	RATE/RANK K CAPT	SERVICE (BRANCH) USN
ORGANIZATION OPNAV N99		BILLET (b) (6), (b) (7)(C)	
LOCATION OF INTERVIEW 5E188 Conference Rm		TIME	DATE

## RIGHTS

I certify and acknowledge by my signature and initials set forth below that, before the interviewer requested a statement from me, he warned me that:

(1) I am suspected of having committed the following offense(s):

Sexual Harassment; Drunken Operation of a Vehicle

(b) (6), (b) (7)(C)

(2) I have the right to remain silent: - - - - -

(b) (6), (b) (7)(C)

(3) Any statement I do make may be used as evidence against me in trial by court-martial, - - - - -

(b) (6), (b) (7)(C)

(4) I have the right to consult with lawyer counsel prior to any questioning. This lawyer counsel may be a civilian lawyer retained by me at my own expense, a military lawyer appointed to act as my counsel without cost to me, or both; and - - - - -

(b) (6), (b) (7)(C)

(5) I have the right to have such retained civilian lawyer and/or appointed military lawyer present during this interview. - - - - -

(b) (6), (b) (7)(C)

## WAIVER OF RIGHTS

I further certify and acknowledge that I have read the above statement of my rights and fully understand them, and that, - - - - -

☐

(1) I expressly desire to waive my right to remain silent; - - - - -

☐

(2) I expressly desire to make a statement; - - - - -

☐

(3) I expressly do not desire to consult with either a civilian lawyer retained by me or a military lawyer appointed as my counsel without cost to me prior to any questioning;

☐

(4) I expressly do not desire to have such lawyer present with me during this interview; and - - - - -

☐

## SUSPECT'S RIGHTS ACKNOWLEDGEMENT/STATEMENT (See JAGMAN 0170)

FULL NAME (ACCUSED SUSPECT)	SSN	RATE/RANK	SERVICE (BRANCH)
(b) (6), (b) (7)(C)	N/A	CDR	USN
ACTIVITY UNIT	DATE OF BIRTH		
OPNAV (CNO Office)	N/A		
NAME (INTERVIEWER)	SSN	RATE/RANK	SERVICE (BRANCH)
(b) (6), (b) (7)(C)	N/A	CAPT	USN
ORGANIZATION	BILLET		
OPNAV N99	(b) (6), (b) (7)(C)		
LOCATION OF INTERVIEW	TIME	DATE	
SEISS Conference Room	1008	29 Dec 2016	

## RIGHTS

I certify and acknowledge by my signature and initials set forth below that, before the interviewer requested a statement from me, he warned me that:

(1) I am suspected of having committed the following offense(s):

Sexual harassment against LT (b) (6), (b) (7)(C) and LT (b) (6), (b) (7)(C); Drunken operation of a vehicle

(b) (6), (b) (7)(C)

(2) I have the right to remain silent; - - - - -

(b) (6), (b) (7)(C)

(3) Any statement I do make may be used as evidence against me in trial by court-martial, - - - - -

(b) (6), (b) (7)(C)

(4) I have the right to consult with lawyer counsel prior to any questioning. This lawyer counsel may be a civilian lawyer retained by me at my own expense, a military lawyer appointed to act as my counsel without cost to me, or both; and - - - - -

(b) (6), (b) (7)(C)

(5) I have the right to have such retained civilian lawyer and/or appointed military lawyer present during this interview, - - - - -

(b) (6), (b) (7)(C)

## WAIVER OF RIGHTS

I further certify and acknowledge that I have read the above statement of my rights and fully understand them, and that, - - - - -

(b) (6), (b) (7)(C)

(1) I expressly desire to waive my right to remain silent; - - - - -

(b) (6), (b) (7)(C)

(2) I expressly desire to make a statement; - - - - -

(b) (6), (b) (7)(C)

(3) I expressly do not desire to consult with either a civilian lawyer retained by me or military lawyer appointed as my counsel without cost to me prior to any questioning:

(b) (6), (b) (7)(C)

(4) I expressly do not desire to have such lawyer present with me during this interview; and - - - - -

(b) (6), (b) (7)(C)

(5) This acknowledgment and waiver of rights is made freely and voluntarily by, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me.----- (b) (6), (b) (7)(C)

SIGNATURE (ACCUSED/SUSPECT) (b) (6), (b) (7)(C)	TIME 1000	DATE 29 Dec 16
SIGNATURE INTERVIEWER (b) (6), (b) (7)(C)	TIME 10000	DATE 29 Dec 16
(b) (6), (b) (7)(C)	TIME 1000	DATE 29 Dec 16

The statement which appears on this page (and the following <sup>as</sup> 7 page(s), all of which are signed by me), is made freely and voluntarily by me, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me.

(b) (6), (b) (7)(C)

SIGNATURE (ACCUSED/SUSPECT)

(b) (6), (b) (7)(C)

*See additional pages (4-7)*

(b) (6), (b) (7)(C)

Statement of CDR (b) (6), (b) (7)(C) USN

Interview start time: 1010 on 29 Dec 2016

- What time did you arrive at the CHINFO holiday party? I arrived around 1100 – 1115. I got there early.
- Describe the party? It was in CHINFO spaces (4B463).
  - Who was there? Pentagon press corps, SECNAV, CHINFO, PAOs from all over the region and the CHINFO office. There were both military and civilian personnel present.
  - How many people? People flowed in and out. Consistently there were about 75-100 people.
  - Was there food? Yes. There was a large spread. The food went quickly. They had to go out and get more food. What kind? Heavy hors d'oeuvres and desserts. When they went out for more they came back with subway and pizza.
  - Alcohol? Yes. What kind? There was a significant amount of beer and wine. As the party progressed someone broke out a bottle of Bourbon. ~~I don't remember who it was; but that person had stashed it in my office, went back to my office to get it, and brought it to the party. I didn't bring the bottle of Bourbon.~~ *Additionally a bottle was brought to the party. I don't know how much hard alcohol was there at the party. I think I saw mimosas being served. The bar was being covered by nurses, party guests.* ~~I don't know how much hard alcohol was there at the party. I think I saw mimosas being served.~~ *not sure who was added.*
- Did you eat or drink anything before the party? I had breakfast which included a shake from home and another one later (mid-morning) from market basket.
- Did you eat or drink anything during the party? Yes.
  - What? A beer in the beginning. I also had a bourbon or two throughout. I was also drinking water as well. I wasn't keeping track of the drinks. I maybe had a total of 4 drinks.
  - Did you do shots? I think I did do one shot; a fireball shot.
  - In what time span did you have these drinks of alcohol? Between 1100 – 1800. The party tapered off around 1600. ~~But myself and others stayed around.~~ *Given the guest list*
  - Time of last drink? At the party around 1700.
  - What were the effects? None.
  - Did you feel intoxicated? No. I was conscious of keeping my wits about me. I was engaging with leadership at the party. No one approached with concerns.
- Who did you talk to at the party? A lot of people. OPNAV Staff, senior leaders, members of the pentagon press corps, CHINFO staff. *A combination of work and professional topics*
  - What did you talk about? ~~Talked about work stuff. Talked about the holidays. How this party compared with others. Spoke with junior folks about professional development.~~
- Were you wearing a Santa suit? Yes. I thought it would be fun. Others wore Santa ties and similar items. Why? I thought it would be a good conversation starter.
  - Did you 'play' Santa at the party? No. I walked around and shook people's hands.
  - Did anyone sit on your lap? No.

Was LT (b) (6), (b) (7)(C) at the party? Yes.

- How do you know her? LT (b) (6), (b) (7)(C) works on the CHINFO news desk. I don't know her very well.
- Have you spoken to her before? Yes. Routinely for work. Not socially. That was the benefit of the party. *I got to speak with others socially. It encouraged a social atmosphere.*
- Is there a senior/subordinate relationship? No. She's not in my COC.
- Is there a mentor/mentee relationship? No. Other than me being an O-5 in the PAO community.
- Can you describe your interactions with her at the party? Closer to the end of the party I noticed her *throughout the party we talked* and another junior officer, LT (b) (6), (b) (7)(C) were starting to get intoxicated. *she*
- Did you talk at the party? Yes.
- Was it a one-on-one conversation? No. There was a group of people coming in and out of a group conversation. LT (b) (6), (b) (7)(C) was in and out of that conversation. We talked about where people lived. How did they become a PAO. I didn't hear anything inappropriate said by anyone.
- Was there anyone around? Lots of people.
- Did you mention to her that you looked up her old address? No. She mentioned that she lived near (b) (6), (b) (7)(C) and I related how there were bars *and restaurants* near (b) (6), (b) (7)(C) and how other PAOs frequented and lived in that area. I never looked the address up. I wouldn't know how to do that. I heard that people were saying I said this in scuttlebutt in the days that followed the party. *but it's not true*
- Did you say to LT (b) (6), (b) (7)(C) to "watch out I will probably be on your O4 Board someday?" No. We did talk about the O4 board in a larger group and I talked about how we should throw out the precepts and throw in a practical exercise/interview questions instead. This was a follow on conversation with LT (b) (6), (b) (7)(C) I'm getting out of the Navy. I'm not going to be on anyone's board. I'm at 18 years. I've made it known to leadership and people who work around me. We are a small community they may or may not have known. I would have no reason to say this.
- Did you ever say "you should come work for me?" Yes. I said it to LT (b) (6), (b) (7)(C) I don't remember saying it at the holiday party, but I might have since I did want her to come work for me. I do not remember saying it to LT (b) (6), (b) (7)(C)
- Was LT (b) (6), (b) (7)(C) drinking? I didn't pay attention. She's not someone I'm social with.
  - Was she intoxicated? It was apparent she had been drinking. How could you tell? She was flush in her face. Giggly. Conversation wasn't as crisp. It wasn't enough to make me worry.

What time you leave the party? Around 1830. Went back to office. Took off Santa suit. Went back to CHINFO spaces. People were getting ready to leave.

Where did you go? (b) (6), (b) (7)(C) A restaurant in Crystal City.

- Whose idea was it to go to dinner? It was a little bit of group think. We were all hungry. We all talked about it. I made a reservation on OpenTable at (b) (6), (b) (7)(C) *once we left the building*
- Who all went? Initially I thought it was going to be a small group. Winded up being larger group. CDR (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (I don't remember his last name; he's a civilian), LT (b) (6), (b) (7)(C) (sp?), Ensign (b) (6), (b) (7)(C) LT (b) (6), (b) (7)(C) LT (b) (6), (b) (7)(C) and me. I was surprised that LT (b) (6), (b) (7)(C) went. We invited LT (b) (6), (b) (7)(C) as a thank you for planning the party. She worked really hard. I knew Ens (b) (6), (b) (7)(C) and he's a teammate with LT (b) (6), (b) (7)(C) It was an odd group that I normally don't hang out with from work. I normally hang with CDR (b) (6), (b) (7)(C) CDR (b) (6), (b) (7)(C) CDR (b) (6), (b) (7)(C) (sp?). We get together for dinner or cocktails, or just hang out on weekend with families once or twice a month.
- How did you get to (b) (6), (b) (7)(C) We broke into two groups. I drove one group which included (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). *But I'm not really 100% sure.*

- What time did you arrive? I don't remember the time. Maybe around 1900. I think I made the reservation for 1900.
- What time did others arrive? I don't remember. We arrived a short time before the other group.
- Where did everyone sit? CDR (b) (6), (b) (7)(C) was at the head of the table. Clockwise from there it was (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) me, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) LT (b) (6), (b) (7)(C) was in there somewhere and throughout the night people moved around.
- Can you describe what happened at dinner? Initially it was fun. It was a combination of professional and social conversation. I talked at length with (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) about their portfolio. I had the same portfolio once. It became clear (b) (6), (b) (7)(C) was really intoxicated. She started to only talk to me. She leaned in when she was excited about the topic (professional conversation) and touched my knee. She became flirty. I later went to the bathroom. When I came back and (b) (6), (b) (7)(C) and others had gotten up from the table to use the restroom as well. I came back from the head and sat next to CDR (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) came back and sat next to CDR (b) (6), (b) (7)(C). She then did the same thing with CDR (b) (6), (b) (7)(C). She touched his leg.
- Did you order dinner? Yes. I had the meat platter. I didn't pay attention to what others ate. Drinks? I ordered a cocktail – an old fashioned. I sipped a cocktail and only consumed about a third of it.
- Who ordered alcohol at dinner? (b) (6), (b) (7)(C) ordered about three bottles of wine for the table – 2 red and one white. There may have been more. I don't know.
- How were you feeling at the beginning of dinner? Fine. I was having conversations with people and texting with CDR (b) (6), (b) (7)(C) and my wife during the dinner.
- How many drinks did you have total during dinner? Less than one. Drank a quarter to a third. Others at the table wanted to try the drink. So I shared it with them.

• Did you talk to LT (b) (6), (b) (7)(C) at dinner? Yes.

- About what? It was a conversation about professional development. She would lean in and talk about her troubles with Ens (b) (6), (b) (7)(C). I related to her and told her about similar experiences. She mentioned she wanted to switch teams. I told her I would talk to CDR (b) (6), (b) (7)(C) about it.
- Did she ask you what you thought about her working with (b) (6), (b) (7)(C)? Yes.
- What was your advice? I thought it was a terrible idea. Because she was an attractive woman and that could be problematic in that job. I eluded to others stories about females who worked there and their issues with (b) (6), (b) (7)(C). about the feeling uncomfortable.
- Did you say you thought it was a bad idea for a young beautiful woman to be surrounded by a bunch of (b) (6), (b) (7)(C) because they would "run through her?" No. I said she would be surrounded by (b) (6), (b) (7)(C), but I didn't use that phrase.

• What did LT (b) (6), (b) (7)(C) have to drink at dinner? Wine.

- How much? I don't know.
- Was she intoxicated? Yes. How could you tell? She was leaning on me. She touched my knee, thigh, and touched my crotch. This happened more than once during the dinner. She was staggering when she walked and had to lean on others.

• Did you have any physical contact with LT (b) (6), (b) (7)(C) at dinner? She grabbed my hand a couple of times. I moved away and didn't say anything. I didn't want to make it a big deal. I didn't feel she was making a pass. I think she didn't know what she was doing.

- Did you put your arm around her at dinner? I don't remember.

- Did you stay seated next to LT (b) (6), (b) (7)(C) the entire dinner? No. When I came back from the bathroom I sat next to CDR (b) (6), (b) (7)(C)
- Did you talk with LT (b) (6), (b) (7)(C) Yes.
  - About what? In the normal course of the conversation. Nothing stands out.
- How did you pay for dinner? I paid for the whole dinner for everyone with my credit card. I wanted to end the evening faster because I was concerned for LT (b) (6), (b) (7)(C) after LT (b) (6), (b) (7)(C) had to absolutely leave. *about 15-20 was late - about leaving*
- Was anyone else intoxicated when they left dinner? No. Not that stood out to me.
- What time did you leave the dinner? 2130
  - Was anyone with you? No. Some went to the metro. CDR (b) (6), (b) (7)(C) drove himself home.
  - Did you feel like you were ok to drive? Yes. And I called my wife. She asked if I was OK. I told her 'yes.'
  - Did you leave before or after LT (b) (6), (b) (7)(C) After we got her in a cab with LT (b) (6), (b) (7)(C) *... about 15-20 was late - about leaving*
- Did you call anyone after the party? Yes. A couple of people. Who? I was really concerned for LT (b) (6), (b) (7)(C) I asked for (b) (6), (b) (7)(C) for her number. I called a couple of times. I got LT (b) (6), (b) (7)(C) twice. A couple of other times and no one answered. LT (b) (6), (b) (7)(C) sounded somewhat intoxicated. I told her I wanted to talk to LT (b) (6), (b) (7)(C) directly. LT (b) (6), (b) (7)(C) said she couldn't come to the phone. I called one other time after. LT (b) (6), (b) (7)(C) answered and she was more adamant that LT (b) (6), (b) (7)(C) was ok.
  - I also texted CDR (b) (6), (b) (7)(C) "We are leaving...you want company." I was responding to CDR (b) (6), (b) (7)(C) and LT's ongoing text conversation. I fat fingered the wrong number. The text was a joke...it piggybacked off of an ongoing joke that she had to stay home with the kids. We joked often that we were each other's work spouses. I've been friends with both her and her husband for around 10 years.
  - I got home around 2200. Got undressed and talked with wife. My wife was not happy the party went so long. We had things to do at home. I told her about the interaction with LT (b) (6), (b) (7)(C) and how she also cozied up to CDR (b) (6), (b) (7)(C) We went to bed. We watched TV. We fell asleep.
  - I woke up the next morning. Looked at my work phone. I saw I had 4 or 5 missed calls and missed a text from LT (b) (6), (b) (7)(C) That's when I realized I sent the text meant for CDR (b) (6), (b) (7)(C) to LT (b) (6), (b) (7)(C) I didn't think a ton of it. I've heard scuttlebutt from LT (b) (6), (b) (7)(C) and other friends from CHINFO on what was said and not said and that this text was not ok even. It was absolutely not meant for LT (b) (6), (b) (7)(C) *for LT*
  - Did you call LT (b) (6), (b) (7)(C) Yes. I was really concerned about her.
  - Did you text her? Yes.
    - Did you text her "Hey just wanted to make sure you ok...this is (b) (6), (b) (7)(C)?" Yes. I wanted her to know it was from me since I knew she might not recognize the number. *was*
- What did you do the next day? I called CDR (b) (6), (b) (7)(C) on the way in to work and relayed my ongoing concern about LT (b) (6), (b) (7)(C) being handsy at dinner. CDR (b) (6), (b) (7)(C) agreed.
- Did you talk to LT (b) (6), (b) (7)(C) the next day? Yes. In the morning. I gave her a recap of the night before and how it got a little crazy at the end. We talked about how much LT (b) (6), (b) (7)(C) had to drink and how she got a little handsy. I told her we would have her come down, keep the door open, and clear the air about the night before. I felt like as an O-5 I had a responsibility to clear the air so it wasn't uncomfortable to work together.

- Did you say you wanted to send her an email? Yes.
- What did the email say? I asked her to come down here. I wanted to talk about what she did the night before. I wanted LT (b) (6), (b) (7)(C) in the room.

▪ Let's go back to the holiday party at work...did you interact with LT (b) (6), (b) (7)(C) Very little.

- How do you know her? We interacted when she was with N1 and I was with CHINFO. *with her together - butterfly CNP*
- Is there a senior/subordinate relationship? Yes.
  - How so? She worked for me for a period of 5 weeks before she went to (b) (6), (b) (7)(C)
- Is there a mentor/mentee relationship? We developed one. Over a two year period we chat quarterly. We also talked about personal stuff. She talked about how her marriage was having problems. She also talked about her experiences with (b) (6), (b) (7)(C).
- Can you describe your interactions with her at the party? No. There was very little interaction. I saw her in passing.
- Did you talk at the party? I don't remember talking to her. I remember seeing her.
- Did you have any physical contact with her at the party? No.
  - Did you give her a hug? I don't remember. ~~Maybe~~

▪ Do you remember anyone wanted to ensure you had a ride home? No. When we were in CDR (b) (6), (b) (7)(C) office and Admiral Cutler joked "you [guys] better behave." But no concerns about rides home.

▪ Did you hug anyone else at the party? Lots of people. In a purely social and collegial manner. I'm not a hugger. But there were a lot of people that initiated a hug with me.

▪ Have you ever gone to dinner with LT (b) (6), (b) (7)(C) one-on-one? Yes. We went on what I would consider a date to (b) (6), (b) (7)(C) in Baltimore. *in the summer of 2014.* I don't know if she considered it a date. We had previously tried to have dinner but schedules didn't work out.

- Who initiated the invite? I don't remember. It was ~~more of~~ a mutual let's get together.
- Can you describe what happened at that dinner? I met her at her hotel in Baltimore. I parked the car at the hotel. We walked to dinner in (b) (6), (b) (7)(C). I made the reservation. Later on we agreed to go to a bar. I wanted the evening to continue. She was uncomfortable because her teammates were in town and she didn't want to be seen together. She also didn't want it to go further because she knew we might work together in the future.
  - What did you have for dinner? Pasta.
  - Drinks? We split a bottle of wine.
    - In what time span? Over a couple hours.
    - Did you feel intoxicated? No. Not at all.
  - What did she have to eat? I don't remember.
    - Was she intoxicated? No.
  - What did you talk about at dinner? It started off professional. Then turned to marriages. I talked about my separation and how I had dated someone else.
  - Did you go to a bar after dinner? Yes.
    - Why? I wanted to talk more. I thought there were romantic overtones from the great conversation and body language. It seemed like a date. She didn't work for me at the time. I wanted the evening to continue.

- Whose idea was it to go to a bar? I don't remember.
- What did you talk about at the bar? I wanted to pursue a romance. But we bumped into people from her team and she didn't want to be seen hooking up around them. And she was concerned about our future working relationship.
- Was there any physical contact at the dinner or at the bar? I did have my arm around her chair the whole time.
  - Did you touch her thigh? I don't remember.
  - Did she push you away from any contact? No.
  - Did she tell you she had a boyfriend? No.
  - Did she tell you she was not interested in you? No. Not directly. But as the evening went on I got the message that it was not romantic.
  - Did you say "oh come on you know you have been looking at me all night?" I don't remember saying that. I'm not saying I didn't. I just don't remember.

- How long were you at the bar? I don't remember.
- When did you leave? I don't remember.
- Did you leave together? Yes.
- Where did you go? I walked her back to the hotel. I may have given her a hug as we parted. I felt like we ended the evening amicably. She wanted to ensure I was ok to go home. She offered to get me assistance in getting a ride home or for me to stay in her hotel room (she would stay in her friend's room). I told her I was ok.
- Did you invite yourself up to her room? I don't remember.
- Do you remember saying "I don't want to sleep with you I just want to make out." I don't remember.

- many times over the last two years*
- After the date with LT (b) (6), (b) (7)(C) did you speak again? Yes. After the date we spoke a week or two later to talk about issues with (b) (6), (b) (7)(C). She initiated the conversation. Then we spoke about once a quarter; maybe more frequent as (b) (6), (b) (7)(C) matter unfolded and again when she was up for orders.

- the job*
- Earlier this year when she reported to CHINFO did you speak with her? Yes. I told her I didn't think she was a good fit for VCNO and we talked about her next steps. I told her she should focus on the news desk first. We also talked about personal stuff. She wanted to clear the air about the dinner in Baltimore. I told her we were good.
    - Did you tell her that you didn't know how to act with her since the last time they were alone "you were practically humping her leg?" I may have made a joke in a self-deprecating way when she asked if we were ok.

- Is there anything else you would like to add that we haven't discussed? I do not believe that I did anything intentionally or unintentionally or anything inappropriate. I'm embarrassed that we are having this conversation.

- I remain concerned by the reporting and statement coordination that took place in CHINFO.*
- In hindsight, do you think you did anything wrong during any of these events. *No. I should never have put myself in this situation.*

- Would you have done anything any differently? I wouldn't have gone out with that junior of a group. I should have known better that after the official function I should have gone home.

Interview Break at 1200 on 29 Dec 2016

Interview restarted at 1351.

Initially you declined to give a statement. What changed? Why now? I had a <sup>had</sup> ~~break by the allegation~~ time to think about it. I was initially taken about it. I don't think I harassed anyone. I didn't drive drunk. I think this is a case about a misunderstanding and I hope we can move forward and I thought providing a statement, my side of the story, after thinking about it would help that outcome. (b) (6), (b) (7)(C)

Additionally, I would like to add my concern over the story and statement coordination that took place among the Chicago office's. A member of my staff heard the accusation coordinating her story with another officer in the P.A.C. I am concerned stories were synched to match allegations by individuals who were drinking and didn't remember on their own. (b) (6), (b) (7)(C)

The statement which appears on this page (and the <sup>above</sup> following 6 page(s), all of which are signed by me), is made freely and voluntarily by me, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me.

(b) (6), (b) (7)(C)

SIGNATURE (ACCUSED/SUSPECT)

**Statement of RDML Dawn Cutler, Chief of Information, USN on 29 December 2016 via Phonecon**

I arrived at the office on Tuesday, 13 December 2016, at around 0715. It was a normal work day. I was in my office until the start of the CHINFO holiday party at around 1100. I came out of my office and greet and socialized with guests throughout the party.

Later in the day, around 1530 or 1600, I observed CDR Christopher (b) (6), (b) (7)(C) in a severely intoxicated state. His eyes lacked focus. I would describe it as the thousand yard stare. He was acting goofy. He was slurring some words. I was concerned with his ability to get home safely. I went to CDR (b) (6), (b) (7)(C) office and told him to ensure CDR (b) (6), (b) (7)(C) had a ride home. CDR (b) (6), (b) (7)(C) acknowledged and indicated he would do so.

I did see LT (b) (6), (b) (7)(C) and LT (b) (6), (b) (7)(C) at the party. I did not see them interact with CDR (b) (6), (b) (7)(C) at the party. I was not aware that a group had later gone out for dinner. I did not notice anyone else intoxicated at the party.

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Signature and Date